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MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

Dated: October 19, 2009

Signature:

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1FW AZ  
Docket No.:  
SONYJP 3.0-323  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Hiroshi Usuda

Application No.: 10/657,364

Confirmation No.: 9549

Filed: September 8, 2003

Art Unit: 2624

For: TERMINAL DEVICE AND  
COMMUNICATION METHOD

Examiner: A. K. Woldemariam

AMENDED APPEAL BRIEF

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
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In response to the Notification of Non-Compliant Appeal Brief issued September 18, 2009, Appellant hereby submits an Amended Appeal Brief to correct the deficiencies cited with respect to the Summary of Claimed Subject Matter. In accordance with the Notice, only the amended section of the brief is submitted.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Because of the limited nature inherent in summaries, any conflict between the summary and the claim language should be resolved in favor of the claim language. It will be understood that all references to examples, including those described in the specification, are exactly that: examples. The examples set forth herein are provided solely to aid in the understanding of the invention, and are not intended to limit the claim to the specific example nor eliminate elements which are claimed but not described in the example.

A. Overview

The present application relates to a terminal device and a method for communicating using the terminal device. For example, the terminal device may be a mobile phone which communicates with a server to, e.g., download content related to particular advertisements. (*Specification* p.18 1.26 to p.19 1.28.) To establish such communication with the server, the terminal device first registers itself on the network and identifies itself using a machine readable code. (*Id.* at 12 11.13-16; p.14 11.9-15; p.18 11.21-23) The terminal device may then read another code corresponding to content the user would like to browse, and transmits that content code to the server. (*Id.* at 19 11.1-7, 17-20.) In turn, the server extracts information corresponding to the content code from a storage unit and transmits that information to the terminal device. (*Id.* at p.19 11.21-28). In addition to registering itself and downloading content, the mobile terminal may use the machine readable codes to perform any of a variety of other operations, such as downloading, deleting, etc. (*Id.* at Fig. 9, p.21 11. 13-15). Moreover, the mobile terminal may use first and second codes in combination with one another to perform a desired operation. (*Spec.* p.20 11.9-20)

**B. Claim 1 And Dependent Claims**

Claim 1 of the present application relates to a terminal device registrable on a network. The terminal device includes an input unit operable to input from a printed medium a first graphic code corresponding to first information (*Id.* at Fig. 8, ST803-ST804; p.18 ll.21-25; p.19 ll.3-7). The input unit may be a camera, as recited in claims 4 and 8, or any other input device. The terminal device also includes a communication unit operable to use the first information as terminal identification information to establish communication through the network as registered device. (*Id.* at p.19 ll.17-20). Such communication may be established with, for example, a server. (*Id.*) The server, having the terminal identification information, may transmit requested content to the terminal device or otherwise communicate with the terminal device (*Id.* at p.19 ll. 21-28).

Dependent claim 2 further recites that the input unit of the terminal device is operable to input from a printed medium a second graphic code corresponding to second information associated with the first information. (*Specification*, p.17 ll.13-19). Thus, for example, the terminal device may scan a "content" graphic code related to content the user would like to receive at the terminal device. (*Id.*) The communication unit, further including an acquiring unit, is operable to acquire the second information based on the second graphic code. (*Specification* p.19 l.21 to p.20 l.1). Thus, continuing the same example, the terminal device may receive information from the server relating to the requested code. (*Id.*)

Dependent claim 3 additionally recites that at least one of the first graphic code and the second graphic code is information encoded in accordance with predetermined image patterns. An example of such predetermined image patterns is provided in the specification at Fig. 7 and Figs. 9-12.

### C. Claim 5 And Dependent Claims

Claim 5 of the present application relates to a method of using a terminal device registrable on a network. The terminal device includes an input unit operable to input from a printed medium a first graphic code corresponding to first information (*Id.* at Fig. 8, ST803-ST804; p.18 ll.21-25; p.19 ll.3-7). The input unit may be a camera, as recited in claims 4 and 8, or any other input device. The terminal device also includes a communication unit operable to use the first information as terminal identification information to establish communication through the network as registered device. (*Id.* at p.19 ll.17-20). Such communication may be established with, for example, a server. (*Id.*) The server, having the terminal identification information, may transmit requested content to the terminal device or otherwise communicate with the terminal device (*Id.* at p.19 ll. 21-28).

Dependent claim 6 further recites that the input unit of the terminal device is operable to input from a printed medium a second graphic code corresponding to second information associated with the first information. (*Specification*, p.17 ll.13-19). Thus, for example, the terminal device may scan a "content" graphic code related to content the user would like to receive at the terminal device. (*Id.*) The communication unit, further including an acquiring unit, is operable to acquire the second information based on the second graphic code. (*Specification* p.19 l.21 to p.20 l.1). Thus, continuing the same example, the terminal device may receive information from the server relating to the requested code. (*Id.*)

Dependent claim 7 additionally recites that at least one of the first graphic code and the second graphic code is information encoded in accordance with predetermined image patterns. An example of such predetermined image patterns is provided in the specification at Fig. 7 and Figs. 9-12.

**D. Claim 9 And Dependent Claims**

Independent claim 9 relates to the server. Specifically, claim 9 recites a server, comprising a storage unit operable to store operating instructions and pieces of content, each of the operating instructions corresponding to one of a first series of graphic codes and each of the pieces of content corresponding to one of a second series of graphic codes. (Specification p.14 l.8 to p.16 l.1; p.20 ll.9-20) The server includes an input unit, so that a selected first graphic code (operating instruction) and a selected second series of graphic code (piece of content) may be input from a printed medium. (*Id.*) An operating unit in the server may execute the operating instruction with respect to the piece of content. Thus, for example, if the server recognizes a first graphic code corresponding to an operating instruction to "delete," and a second graphic code corresponding to content "BMW," the server may delete information corresponding to the BMW. (*Id.*)

**E. Claim 11 And Dependent Claims**

Independent claim 11 relates to a method of processing content on the server. Specifically, claim 11 recites storing operating instructions and pieces of content, each of the operating instructions corresponding to one of a first series of graphic codes and each of the pieces of content corresponding to one of a second series of graphic codes. (Specification p.14 l.8 to p.16 l.1; p.20 ll.9-20) The server includes an input unit, so that a selected first graphic code (operating instruction) and a selected second series of graphic code (piece of content) may be input from a printed medium. (*Id.*) An operating unit in the server may execute the operating instruction with respect to the piece of content. Thus, for example, if the server recognizes a first graphic code corresponding to an operating instruction to "delete,"

and a second graphic code corresponding to content "BMW," the server may delete information corresponding to the BMW. (*Id.*)

Dependent claim 12 involves a third series of graphic codes, each of the graphic codes in the third series of graphic codes corresponding to a storage location for the content. (Specification p.19 11.1-26) The third series of graphic codes may be input from a printed medium to retrieve the selected piece of content from the storage location. (*Id.*)

#### **F. Claims 13 And Dependent Claims**

Independent claim 13 relates to a communication network, including a server operable to store data and a plurality of terminal devices operable to send data to the server and to receive data from the server. (*Id.* at Fig. 1, p.10, 11.6-13). Each of the terminal devices may include an input unit, such as a camera, operable to input from a printed medium a first graphic code corresponding to first information. Each terminal device may also include a communication unit operable to use the first information as terminal identification information to establish communication with the server. (*Id.* at p.11 11.6-13, p.12 11.13-16) Thus, for example, a terminal device such as a mobile phone may scan a graphic code and identify itself to the server based on this code.

Dependent claim 14 adds that the server includes a storage unit operable to store operating instructions and pieces of content, each of the operating instructions corresponding to one of a first series of graphic codes and each of the pieces of content corresponding to one of a second series of graphic codes. (*Id.* at p.14 1.6 to p.16 1.1; p.20 11.9-20) The server further includes an input unit operable to input from a printed medium a selected one of the first series of graphic codes and a selected one of the second series of graphic codes. (*Id.*) Accordingly, an operating

unit in the server may execute a selected operating instruction with respect to a selected piece of content. (*Id.*)

**G. Claims 15 And Dependent Claims**

Independent claim 15 relates to a method of downloading content on communication network, including storing terminal identification information and storing pieces of content corresponding to graphic codes in a first series. (Specification p.14 1.8 to p.16 1.1; p.20 11.9-20) Claim 15 further recites converting a selected one of these graphic codes into content information, and transmitting that content information along with the terminal identification information. (*Id.* at Fig. 1, Fig. 8, p.18 1.21 to p.19 1.20). Accordingly, the selected piece of content may be retrieved and transmitted to the terminal device based on the terminal identification information. (*Id.* at p.19 11.21-26).

Dependent claim 16 additionally recites storing operating instructions, each of the operating instructions corresponding to one of a second series of graphic codes. (*Id.* at p.14 1.6 to p.16 1.1; p.20 11.9-20) One of these operating instructions may be a "download" instruction. (*Id.* at p.19 11.14-16). Accordingly, a selected piece of content may be downloaded from a storage unit based on the terminal identification information and the operating instruction. (*Id.*)

If there are any additional fees due and owing in connection with this Amended Appeal Brief, the Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 12-1095.

Dated: October 19, 2009

Respectfully submitted,

By 

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